

TENNESSEE WILDLIFE RESOURCES COMMISSION  
PROCLAMATION 10-12  
AMENDMENT TO PROCLAMATION 08-01  
STATEWIDE PROCLAMATION ON THE  
COMMERCIAL TAKING OF FISH AND TURTLES

Pursuant to the authority granted by Title 70, Tennessee Code Annotated, and Sections 70-1-206, 70-4-107, and 70-4-119 thereof, the Tennessee Wildlife Resources Commission proclaims the following amendments to Proclamation 08-01:

In Section II. LICENSE

Delete "sturgeon," and the "," after paddlefish from the last line of the last paragraph on page 3.

Delete "sturgeon," and the "," after paddlefish from the last line of the first paragraph on page 4.

So that, as amended, Section II reads:

A commercial fishing license is required by anyone engaging in or assisting anyone engaging in commercial fishing. A commercial fisher with a valid Commercial Fishing License must be on board the vessel while commercial fishing for fish or turtles. A commercial fisher with a valid Commercial Fishing License and a valid Commercial Roe Fish Permit, Supplemental must be on board the vessel while any part of a paddlefish or bowfin is harvested from the waters of the state. For the 2007-2008 license year and each license year thereafter, the number of Resident Commercial Roe Fish Permits available for purchase each year shall be limited to eighty (80). Any person who purchased a Resident Commercial Roe Fish Permit between March 1, 2006, and March 31, 2006, shall have priority to renew the permit in March, 2007, and in each succeeding March thereafter until he/she fails to renew such permit. A commercial fisher with a valid Commercial Fishing License and a valid Commercial Turtle Permit, Supplemental must be present to commercially harvest turtles from the waters of the State. A wholesale fish dealer must have a valid Wholesale Fish Dealer's License and a valid Wholesale Roe Fish Permit, Supplemental to buy, hold, or sell any part of a paddlefish or bowfin.

SECTION III. GENERAL PROVISIONS

- B. Delete the following fish species from the list of fish species that may be taken and/or sold commercially.

<u>Common Name</u>	<u>Scientific Name</u>
** Shovelnose sturgeon	Scaphirhynchus platyrhynchus (Rafinesque)

- \*\* Delete from the first paragraph of page 5; "Shovelnose sturgeon or parts thereof shall not be taken during the period from May 16 through October 14, nor shall they be possessed during this period unless they were previously taken during a legal taking season.", "or sturgeon", "Shovelnose sturgeon must be larger than 24 inches and smaller than 32 inches from the tip of the snout to the fork of the tail to be legal for harvest.", "and shovelnose sturgeon smaller than 24 inches or greater than 32 inches", "and/or shovelnose sturgeon" and "Shovelnose sturgeon must remain whole and the eggs must remain in each harvested shovelnose sturgeon while on the water or immediately adjacent to the water where harvested."

- L. Delete "and sturgeon" from paragraph.

So that, as amended, Section III reads in its entirety:

### SECTION III. GENERAL PROVISIONS\*

- A. Fish and turtles classified as endangered, threatened, or in need of management as proclaimed By the Wildlife Resources Commission may not be taken.
- B.<sup>1</sup> The following fish species may be taken and sold commercially year-round unless otherwise Restricted by this proclamation, other Tennessee Wildlife Resources Commission proclamations or rules, or Tennessee Code Annotated.

<u>Common Name</u>	<u>Scientific Name</u>
* , ** Paddlefish	Polyodon spathula (Walbaum)
Spotted gar	Lepisosteus oculatus (Winchell)
Longnose gar	Lepisosteus osseus (Linnaeus)
Shortnose gar	Lepisosteus platostomus Rafinesque
Bowfin	Amia calva Linnaeus
Skipjack herring	Alosa chrysochloris (Rafinesque)
Gizzard shad	Dorosoma cepedianum (Lesueur)
Threadfin shad	Dorosoma petenense (Guenther)
Grass carp	Ctenopharyngodon idella (Valenciennes)
Common carp	Cyprinus carpio Linnaeus
Silver carp	Hypophthalmichthys molitrix (Valenciennes)
Bighead carp	Hypophthalmichthys nobilis (Richardson)
River carpsucker	Carpionodes carpio (Rafinesque)
Quillback	Carpionodes cyprinus (Lesueur)
White sucker	Catostomus commersoni (Lacepede)
Smallmouth buffalo	Ictiobus bubalus (Rafinesque)
Bigmouth buffalo	Ictiobus cyprinellus (Valenciennes)
Black buffalo	Ictiobus niger (Rafinesque)
Spotted sucker	Minytrema melanops (Rafinesque)
Silver redhorse	Moxostoma anisurum (Rafinesque)
Golden redhorse	Moxostoma erythrurum (Rafinesque)
Black bullhead	Ameiurus melas (Rafinesque)
Yellow bullhead	Ameiurus natalis (Lesueur)
Brown bullhead	Ameiurus nebulosus (Lesueur)
* Blue catfish	Ictalurus furcatus (Lesueur)
Channel catfish	Ictalurus punctatus (Rafinesque)
Flathead catfish	Pylodictis olivaris (Rafinesque)
Freshwater drum	Aplodinotus grunniens Rafinesque
Yellow bass	Morone mississippiensis Jordan, Eigenmann

- \* The taking and possession of blue catfish and paddlefish from Cherokee Reservoir by commercial fishing methods is prohibited.

- \*\* Paddlefish or parts thereof shall not be taken during the period from April 16 through November 14, nor shall they be possessed during this period unless they were previously taken during a legal taking season. Those persons possessing paddlefish or parts thereof during these closed periods must have in their possession receipts denoting pounds of flesh or eggs (or both if applicable) in their possession, name and address of supplier/fishermen, the name of the water body from which fish were harvested, and date of harvest or date obtained. Paddlefish must be 36 inches or larger eye to fork length to be legal for harvest from all waters except the Mississippi

River. Paddlefish must be 34 inches or larger eye to fork length to be legal for harvest from the Mississippi River. Paddlefish less than the appropriate minimum eye to fork length limit must be returned immediately to the water. Paddlefish may not be possessed alive away from the harvested waters. Any paddlefish from which eggs are taken must be kept. The cutting or mutilation of paddlefish to check for eggs is prohibited except that a stainless steel 12-gauge needle may be inserted into the abdomen between the pectoral and pelvic fins to determine the presence of eggs. This needle and syringe device must be on board every roe fishing vessel and kept in a sanitary manner. A 2-inch portion of ovary (including some eggs) must remain attached to each harvested paddlefish until the fish and eggs are received by a licensed Wholesale Roe Fish Dealer. Paddlefish eggs removed from ovaries must be kept in separate containers - eggs from one fish only per container.

- C. Only the Common Snapping Turtle, *Chelydra serpentina serpentina*, with a carapace (upper shell) length of at least 12 inches, measured front to back, may be taken year-round and statewide without limit by any legal commercial fishing method.
- D. Only at Reelfoot Wildlife Management Area, all sizes and species of turtles except the box turtles and those covered in Item A. above may be taken by any legal commercial fishing method.
- E. Commercial fishing gear is prohibited within 1,000 yards downstream of any TVA or Corps of Engineers Dam, within 300 yards of any commercial boat dock or resort, or within 100 yards of the mouth of any stream, river, or inlet at any time. For purposes of this proclamation, wingwalls and lock walls are considered to be a part of the "dam", and measurements will be made from their downstream end.
- F. No catfish less than 8 inches in length may be kept alive. The commercial harvest of catfish greater than 34 inches in length is restricted to those commercial fishers holding license types 100, 101, and 103 and may not exceed one (1) catfish per day greater than 34 inches in length. The possession limit of catfish greater than 34 inches is two (2).
- G. Gill nets, trammel nets, turtle traps, and trotlines must be checked at least once every 24 hour period. Other types of commercial fishing gear must be checked at least once every 72 hour period. Each time a gear is checked, any and all species must be removed from the net.
- H. Hoop nets, fyke nets, trap nets, and pound nets with a mesh size of one (1) inch or smaller on the square may be fished only during the months of October, November, December, January, February, March, and April, except the Mississippi River, which is open year-round.
- I. A fish seine may be used in private waters and in waters which are replenished by overflows from the Mississippi, Tennessee, Obion, Hatchie, Wolf, Loosahatchie, and Forked Deer rivers, but which during the dry season of the year have no outlet to these rivers. Fish seines as defined in this proclamation may be used in the dewatering areas of Kentucky Reservoir.
- J. No commercial fishing gear shall be set so as to extend more than three-quarters (3/4) across any stream, river, chute, or embayment.
- K. Paddlefish larger than the appropriate minimum eye to fork length limit can be blocked (with the tail remaining on the fish) prior to sale if the fish also meets the appropriate minimum block length (as measured along side of the fish from the fork of the tail to the edge of the skin behind the gill arch) limit. The minimum block length limit for each minimum eye to fork length limit is reported in the table below. Blocked fish must be larger than both the minimum eye-to-fork length limit and the minimum block length limit. Prior to sale to an in-state wholesale fish dealer's business or prior to being marketed out-of-state, paddlefish carcasses may not be altered in such a manner that the eye to fork length or the block length of the fish can not be determined.

If the minimum eye to fork length is:	Then the minimum block length is:
34 inches	25 inches
36 inches	27 inches
37 inches	27 inches
38 inches	28 inches
40 inches	29.5 inches

- L. Commercially harvested paddlefish or parts thereof taken from the waters of the state and sold in-state must be marketed to a licensed wholesale fish dealer who has a valid Wholesale Roe Fish Permit, Supplemental.
- M. The following species may be 1) harvested by licensed commercial fishers (types 101 and 103) for their personal use as live bait; and 2) harvested by licensed Bait Dealers (types 116 or 118) for the purpose of sale in Tennessee as live bait. All regulations and reporting requirements in this proclamation apply to commercial fishers and bait dealers who harvest these species from the wild.

<u>Common Name</u>	<u>Scientific Name</u>
Skipjack herring	<i>Alosa chrysochloris</i> (Rafinesque)
Gizzard shad	<i>Dorosoma cepedianum</i> (Lesueur)
Threadfin shad	<i>Dorosoma petenenes</i> (Guenether)
Fathead minnow	<i>Pimephales promelas</i> (Rafinesque)
Golden shiner	<i>Notemigonus crysoleucas</i> (Mitchill)

Licensed commercial fishers and bait dealers can harvest inland silversides (*Menidia beryllina* [Cope]) and brook silversides (*Labidesthes sicculus* [Cope]) for the purpose of sale as dead bait provided they are not possessed alive away from the waters from which they were harvested.<sup>▲</sup>

Tennessee Wildlife Resources Commission

  
Chairman

I will certify that this is an accurate and complete copy of rules lawfully promulgated and adopted by the Tennessee Wildlife Resources Commission on the 23 day of Sept, 2010.

  
Secretary

Subscribed and sworn to before me the 28 day of Sept., 2010.

  
Notary Public

My commission expires: 8-23-11





Proclamation 10-12 received and recorded this 29 day of Sept, 2010 to be  
effective the 29 day of Oct., 2010.

Tre Hargett  
Tre Hargett, Secretary of State

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